



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CHRISTOPHER J. LEONARD
MERCHANT & GOULD
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

COPY MAILED

JUL 17 2006

OFFICE OF PETITIONS

In re Application of :
Haynes et al. :
Application No. 09/474,643 :
Filed: December 29, 1999 :
Title: System and Method For Eliminating and :
Unnecessary Dispatch of Service Technician :

ON PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed May 10, 2006.

The petition to withdraw the holding of abandonment is **Granted**.

This application became abandoned for failure to timely submit the issue fee, as required by the Notice of Allowance and Fees Due, which was mailed December 16, 2005 and set a 3 month statutory period for reply. Extensions of time were not available under 37 CFR 1.136 (a). Accordingly, this application became abandoned on March 16, 2006. A Notice of Abandonment was mailed on April 24, 2006.

Petitioner argues the Notice of Allowance and Fees Due and the Notice of Allowability mailed on December 16, 2005 were not received. Petitioner contends the Notice of Allowance and Fees Due was mailed to the incorrect address. Petitioner states a Revocation and Power of Attorney and Change of Address was filed on May 7, 2003. In support of the petition, petitioner has provided a post card receipt stamped May 9, 2003 and a copy Revocation and Power of Attorney and Change of Address.

A review of the record shows that an Office Communication regarding the Revocation of Power of Attorney and Change of Correspondence Address was mailed on May 20, 2003 indicating the changes would not entered due to a failure to submit a statement pursuant to 37 CFR 3.73(b). Further review of the record shows that a 3.73 (b) statement was submitted on August 11, 2003. However, the Revocation of Power of Attorney and Change of Correspondence Address were not entered.

Accordingly the Office Action was mailed to the incorrect address. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

This application is being forwarded to Art Unit 3623 for re-mailing of the Notice of Allowance and the Notice of Allowability to the current correspondence address of record. The three month non-extendable time period for reply will be set to run from the mailing date of the new Office Action.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in cursive script, appearing to read "Charlema R. Grant".

Charlema R. Grant
Petitions Attorney
Office of Petitions